

said circuit substrate, said drive circuit including a switching section which switches the path of current directed to said coils of the stator and a control section which controls a switching timing of said switching section;" and (b) that a partition wall partitions the interior of the circuit protection case into a first chamber to which the switching elements of said switching section are exposed and a second chamber to which said control section is exposed.

As the foregoing makes clear, the claims recite that the switching section and the control section are both part of the drive circuit that is mounted on the circuit substrate. In other words, both of these sections must be part of the same circuit substrate. Further, the two respective sections are exposed to first and second chambers separated by a partition wall.

In contrast to the aforementioned limitations of claims 1 and 13, in Sunaga, a motor control circuit 31 is provided on a *control circuit substrate* 33 (col. 6, lines 9-12) whereas a first drive circuit FD, having a plurality of switching elements, is provided on an *aluminum substrate* 41 (col. 6, lines 28-34). Clearly, the control circuit and the switching elements are not provided on the same circuit substrate, as required by claims 1 and 13. Moreover in this regard, Sunaga does not have these respective sections on the same circuit substrate, with a partition wall forming two chambers, with each section exposed in the respective chamber.

Accordingly, as Sunaga fails to teach or suggest these limitations recited in each of claims 1 and 13, it can not anticipate the claims under § 102(e). Further, as claims 2-7 depend from 1 and, therefore, recite all of the limitations of claim 1, these dependent claims are also allowable over Sunaga for at least the same reasons (without regard to the other patentable limitations recited therein). In this regard, as to the claims of the present application, Sunaga is not available as prior art under 35 U.S.C. § 103, as both the Sunaga patent and the current invention are, and have been, assigned to CalsonicKansei, including at the time of the present invention.

Therefore, all of the pending claims are in condition for allowance. Should the examiner not agree with the foregoing analysis, he is requested to contact the undersigned below.

**CONCLUSION**

For the reasons stated above, claims 1-13 are now in condition for allowance. A Notice of Allowance at an early date is respectfully requested. The Examiner is invited to contact the undersigned if such communication would expedite the prosecution of the application.

Respectfully submitted,



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